

# EXHIBIT #15



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Confirmation No.: 8886

Jan CHIPCHASE

Art Unit: 2612

Application No.: 10/957,743

Examiner: D. PREVIL

Filed: October 5, 2004

Attorney Dkt. No.: 059643.00533

For: ALARM CLOCK

**RESPONSE UNDER 37 CFR § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 3, 2007

Sir:

In response to the Office Action dated November 3, 2006, having been duly extended from February 3, 2007, until May 3, 2007, by the attached Petition for Extension of Time, please amend the above-identified application as set forth below.

**Amendments to the specification are submitted beginning on page 2.**

**Amendments to the claims are submitted beginning on page 4.**

**Remarks are submitted beginning on page 9.**

**IN THE SPECIFICATION:**

Please amend the Specification as follows.

Please amend paragraph [0007] on page 2 as follows:

[0007] According to the present invention there is provided a mobile communication terminal comprising: a clock for maintaining an indication of the current time; a memory for storing a definition of an alert time; and an alerting unit configurable to issue an alert when the current time matches the alert time, the alerting unit being capable of issuing the alert by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto; wherein the alerting unit comprises a signalling unit configured to locally signal to a user; the memory is configured to store an indication of whether the alerting unit is configured to issue the alert using the signalling unit, and the alerting unit is configured to issue the alert using the signalling unit in accordance with that indication; and the alerting unit is configured to issue the alert by initiating the connection to another communication terminal at a predetermined time offset from signalling the user using the signalling unit.

Please amend paragraph [0008] on page 2 as follows:

[0008] The present invention also provides a method for alerting a user by means of a mobile communication terminal, the method comprising: maintaining by means of a clock an indication of the current time; storing in a memory a definition of an alert time; ~~and~~ issuing an alert when the current time matches the alert time by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto, issuing an alert by the terminal locally signalling to a user;

storing an indication in the memory of whether the alert is to be issued locally by the terminal; and

issuing an alert by initiating the connection to the other communication terminal at a predetermined time offset from locally signalling to a user.

Please amend paragraph [0009] on page 2 as follows:

[0009] ~~Preferably~~ The alerting unit comprises a signaling unit capable of locally signaling to a user, and the alerting unit is capable of issuing the alert by causing the signaling unit to locally signal to a user.

Please amend paragraph [0010] on page 2 as follows:

[0010] ~~Preferably~~ The memory is capable of storing an indication of whether the alerting unit is to issue the alert by means of the signaling unit, and the alerting unit is arranged to configured to issue the alert by means of the signaling unit in accordance with that indication.

Please amend paragraph [0011] on page 2 as follows:

[0011] ~~Preferably~~ The alerting unit is configured to issue the alert by initiating the connection to another communication terminal at a predetermined time offset from signaling the user by means of the signaling unit.

**IN THE CLAIMS:**

Please amend claims 1, 15, and 19 and cancel claims 3 and 4, without prejudice or disclaimer, as follows.

1. (Currently Amended) A mobile communication terminal, comprising:

a clock ~~for maintaining~~ configured to maintain an indication of the current time;

a memory ~~for storing~~ configured to store a definition of an alert time; and

an alerting unit ~~configurable~~ configured to issue an alert when the current time matches the alert time, the alerting unit being configured to issue the alert by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto;

wherein the alerting unit comprises a signaling unit configured to locally signal to a user, and the alerting unit is configured to issue the alert by causing the signaling unit to locally signal to ~~a~~ the user,

wherein the memory is configured to store an indication of whether the alerting unit is configured to issue the alert using the signaling unit, and the alerting unit is configured to issue the alert using the signaling unit in accordance with that indication,  
and

wherein the alerting unit is configured to issue the alert by initiating the connection to the other communication terminal at a predetermined time offset from signaling the user using the signaling unit.

2-4 (Cancelled).

5. (Previously Presented) The mobile communication terminal as claimed in claim 1, wherein the connection to another communication terminal is a phone call.

6. (Previously Presented) The mobile communication terminal as claimed in claim 1, wherein the mobile communication terminal is configured to perform wireless communication with a communication network and the connection is communicated over a wireless link with the network.

7. (Previously Presented) The mobile communication terminal as claimed in claim 1, wherein the communication terminal is a mobile phone.

8. (Previously Presented) The mobile communication terminal as claimed in claim 1, comprising a user interface whereby a user can enter data for storage by the memory.

9. (Previously Presented) The mobile communication terminal as claimed in claim 8, the terminal being configured to enable a user to enter the alert time by means of the keypad and to store that time in the memory.

10. (Previously Presented) The mobile communication terminal as claimed in claim 8, the terminal being configured to enable a user to enter the address of the other communication terminal by means of the keypad and to store that time in the keypad, and wherein the alerting unit is configured to initiate the connection to that terminal by means of that address.

11. (Previously Presented) The mobile communication terminal as claimed in claim 9, wherein the address is a telephone number.

12. (Previously Presented) The mobile communication terminal as claimed in claim 1, comprising a message generation unit for generating an audible message defined by data stored at the communication terminal, and wherein the alerting unit is arranged to play out that message over the connection.

13. (Previously Presented) The mobile communication terminal as claimed in claim 1, wherein the terminal is portable.

14. (Previously Presented) The mobile communication terminal as claimed in claim 1, wherein the terminal is a battery-powered terminal.

15. (Currently Amended) A method for alerting a user of a mobile communication terminal, the method comprising:

maintaining by a clock an indication of the current time;

storing in a memory a definition of an alert time; and

issuing an alert when the current time matches the alert time by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto;

issuing an alert by the terminal locally signaling to the user;

storing an indication in the memory of whether the alert is to be issued locally by the terminal; and

issuing an alert by initiating a connection to the other communication terminal at a predetermined time offset from locally signaling to the user.

16. (Previously Presented) The method as claimed in claim 15, comprising locally signaling the incidence of the incoming connection by means of the other terminal.

17. (Previously Presented) The method as claimed in claim 16, wherein the signaling is audible signaling.

18. (Previously Presented) The method as claimed in claim 17, wherein the audible signaling is a ring tone.



19. (Currently Amended) An apparatus for alerting a user by means of a mobile communication terminal, the apparatus comprising:

maintaining means for maintaining an indication of the current time;

storing means for storing in a memory a definition of an alert time; and

issuing means for issuing an alert when the current time matches the alert time by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto

wherein the means for issuing an alert comprises signaling means for locally signaling to the user,

wherein the means for issuing an alert issues the alert by causing the signaling means to locally signal to the user,

wherein the storing means stores an indication of whether the means for issuing an alert is to issue the alert using the signaling means, and

wherein the means for issuing an alert issues an alert by initiating a connection to the other communication terminal at a predetermined time offset from signaling the user by the signaling means.

### **REMARKS**

The Office Action dated November 3, 2006 has been received and carefully noted. The above amendments to the specification and claims, and the following remarks, are submitted as a full and complete response thereto.

In accordance with the foregoing, claims 1, 15, and 19 have been amended to improve clarity of the features recited therein and claims 3 and 4 have been cancelled, without prejudice or disclaimer. No new matter is being presented, and approval and entry are respectfully requested. As will be discussed below, it is also requested that all of claims 1, 5-14, and 15-19 be found allowable as reciting patentable subject matter. The Specification has been amended to improve clarity of the features described therein and in accordance with the amendments being made to independent claims 1, 15, and 19.

Claims 1, 5-14, and 15-19 are pending and under consideration.

### **REJECTION UNDER 35 U.S.C. § 102:**

*Claims 15-19 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,940,395 to Steinmark ("Steinmark"). The Office Action took the position that Steinmark describes all the recitations of independent claims 15 and 19 and related dependent claims. It is respectfully asserted that, for at least the reasons provided herein below, Steinmark fails to teach or suggest the recitations of the pending claims. Reconsideration is requested.*

Independent claim 15, upon which claims 16-18 are dependent, recites a method for alerting a user of a mobile communication terminal, the method including maintaining by a clock an indication of the current time, storing in a memory a definition of an alert time, issuing an alert when the current time matches the alert time by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto, and issuing an alert by the terminal locally signaling to the user. The method also includes storing an indication in the memory of whether the alert is to be issued locally by the terminal, and issuing an alert by initiating a connection to the other communication terminal at a predetermined time offset from locally signaling to the user.

Independent claim 19 recites an apparatus for alerting a user using a mobile communication terminal, the apparatus including maintaining means for maintaining an indication of the current time, storing means for storing in a memory a definition of an alert time, and issuing means for issuing an alert when the current time matches the alert time by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto. The means for issuing an alert includes signaling means for locally signaling to the user. The means for issuing an alert issues the alert by causing the signaling means to locally signal to the user. The storing means stores an indication of whether the means for issuing an alert is to issue the alert using the signaling means. The means for issuing

an alert issues an alert by initiating a connection to the other communication terminal at a predetermined time offset from signaling the user by the signaling means.

As will be discussed below, Steinmark fails to disclose or suggest the elements of any of the presently pending claims.

Steinmark generally describes a system and method for adjusting an alarm signal based upon a user-requested alarm time and an unexpected condition or a set of unexpected conditions. See column 3, lines 21-28. In operation, the call back service makes a phone call to a user's phone or sends a signal to a user's receiver at either a regular user-requested alarm time or an adjusted time based upon unexpected conditions, such as weather and/or traffic conditions local to the user. See column 4, line 50, to column 5, line 4. FIG. 5 and column 10, lines 17-56, of Steinmark describe a call back service style system. In particular, an automated call back service 302 processes the information relevant to the user, information pertaining to unexpected conditions and the user requested alarm time to determine an adjusted alarm time, which may be updated periodically, or in real-time. When the adjusted alarm time is reached, a signal is sent from the automated call back service 302 to the telecommunication equipment 102. In the case of a telephone, a phone call is made.

However, Steinmark fails to teach or suggest, at least, "issuing an alert by initiating a connection to the other communication terminal at a predetermined time offset from locally signaling to the user," as recited in independent claim 15 and "wherein the means for issuing an alert issues an alert by initiating a connection to the

other communication terminal at a predetermined time offset from signaling the user by the signaling means,” as recited in independent claim 19, which allow the alarm clock to not only sound an alarm from a loud speaker, for example in a mobile phone, but also to call a predetermined telephone number, such as a home telephone number of the user.

Rather than the alert being issued to initiate a connection to another terminal at a predetermined time offset from locally signaling to the user as in the present application, Steinmark provides an adjusted alarm time, which is based upon weather and/or traffic conditions, for instance. The automatic call back service of Steinmark relates to unexpected conditions that the user may request to be considered when adjusting the alarm time. The call back of Steinmark relates to updating the user as to any continuing changes relating to the information the user has requested to effect the alarm time. Such configuration of Steinmark is not the same as in the recitations of the present application where the offset feature provides for two ways to implement the alarm to ensure that the user is awake at a predetermined offset time for the alarms being activated.

Accordingly, in view of the foregoing, it is respectfully contended that Steinmark fails to teach or suggest all the recitations of independent claim 15 and related dependent claims 16-18 and independent claim 19. It is respectfully requested that claims 15-19 be allowed.

*Claims 1 and 3-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Steinmark in view of U.S. Patent Publication No. 2005/0169110 to Mazzili*

*(“Mazzili”). The Office Action took the position that Steinmark and Mazzili describes all the recitations of independent claims 15 and 19 and related dependent claims. It is respectfully asserted that, for at least the reasons provided herein below, Steinmark and Mazzili fail to teach or suggest the recitations of the pending claims. Reconsideration is requested.*

Independent claim 1, upon which claims 5-14 are dependent, recites a mobile communication terminal, including a clock configured to maintain an indication of the current time, a memory configured to store a definition of an alert time, and an alerting unit configured to issue an alert when the current time matches the alert time, the alerting unit being configured to issue the alert by initiating a connection to another communication terminal over a network so as to cause that other terminal to locally signal the incidence of the connection incoming thereto. The alerting unit includes a signaling unit configured to locally signal to a user, and the alerting unit is configured to issue the alert by causing the signaling unit to locally signal to the user. The memory is configured to store an indication of whether the alerting unit is configured to issue the alert using the signaling unit, and the alerting unit is configured to issue the alert using the signaling unit in accordance with that indication. The alerting unit is configured to issue the alert by initiating the connection to the other communication terminal at a predetermined time offset from signaling the user using the signaling unit.

As will be discussed below, Steinmark and Mazzili fail to disclose or suggest the elements of any of the presently pending claims.

The arguments previously submitted to support the patentability of the features recited in independent claim 1 providing, in part, “wherein the alerting unit is configured to issue the alert by initiating the connection to the other communication terminal at a predetermined time offset from signaling the user using the signaling unit,” in view of Steinmark are herein incorporated.

Mazzili generally describes a personalized alarm clock system for awaking a user to his or her selected favorite video and/or audio footage. The personalized alarm clock system includes an alarm clock, a display housed within said alarm clock, and one or more speakers housed within said alarm clock. The personalized alarm clock further includes a removably attachable video/audio data source having the user's favorite video footage with audio thereon. The removable video/audio data source attaches to the alarm clock to input the user's favorite video footage with audio into the alarm clock to be played on the display and/or emitted through the one or more speakers.

However, Mazzali fails to cure the deficiencies of Steinmark. Mazzali is completely devoid of any teaching or suggestion providing, at least, “wherein the alerting unit is configured to issue the alert by initiating the connection to the other communication terminal at a predetermined time offset from signaling the user using the signaling unit,” as recited in independent claim 1. Rather, paragraph [0042], which is referred to in the Office Action, simply provides that the alarm clock 10 could also be used as a conventional alarm clock emitting standard sounds such as buzzing or beeping sounds or by playing a selected radio station to awaken the user. The alarm clock 10

could also be used as a regular radio having am/fm stations. Similarly to Steinmark, there is no teaching in Mazzali in the portion referred to by the Office Action, or in any other part of this reference, providing the alert is issued by initiating the connection to the other communication terminal at a predetermined time offset from signaling the user using the signaling unit as in independent claim 1.

Accordingly, in view of the foregoing, it is respectfully contended that Steinmark and Mazzili, individually or combined, fail to teach or suggest all the recitations of independent claim 1 and related dependent claims 5-14. It is respectfully requested that claims 1 and 5-14 be allowed.

**CONCLUSION:**

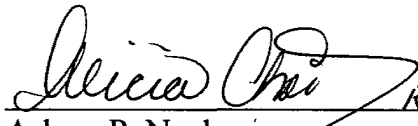
In view of the above, Applicant respectfully submits that the claimed invention recites subject matter which is neither disclosed nor suggested in the cited prior art. Applicant further submits that the subject matter is more than sufficient to render the claimed invention unobvious to a person of skill in the art. Applicant therefore respectfully requests that each of claims 1, 5-14, and 15-19 be found allowable and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.



In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time.

Respectfully submitted,

  
Arlene P. Neal  
Registration No. 43,828

**Customer No. 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802

APN:ksh

Enclosures: Petition for Extension of Time  
Check No. 16298